

IN THE MATTER OF AN OFFERING SHEET OF AN OVERRIDING ROYALTY INTEREST IN THE BILGRAD-MATTHE FORNEY FARM, FILED ON OCTOBER 27, 1936, BY BILGRAD OIL COMPANY, RESPONDENT

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A)), AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

1. In that the information contained in Division II of the said offering sheet is given as of a date more than 110 days prior to the date of its filing;
2. In that from the plat, furnished as an Exhibit, the required date and legend are omitted;
3. In that from the report of Byron B. Norris, furnished as an Exhibit in lieu of the information required by Items 7, 8, and 9 of Division II, the information as to the depths of possibly productive horizons is omitted as to the Santa Margarita and Temblor formations;
4. In that from the said report of Byron B. Norris the information required by Item 8 of Division II as to possibly productive horizons as shown by the New Hampshire and West State wells, which appear from the plat furnished as an Exhibit to offset the tract in question to the north and east respectively, is omitted;

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 3rd day of December 1936, that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered, that Robert P. Reeder, an officer of the Commission be, and hereby is, designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered, that the taking of testimony in this proceeding commence on the 17th day of November 1936 at 10:00 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3253—Filed, November 4, 1936; 12:44 p. m.]

Friday, November 6, 1936

No. 169

TREASURY DEPARTMENT.

Bureau of Customs.

[T. D. 48610]

PORT OF ENTRY

DESIGNATION OF MOREHEAD CITY, NORTH CAROLINA, AS A CUSTOMS PORT OF ENTRY

To Collectors of Customs and Others Concerned:

There is published below for the information of customs officers and others concerned the following Executive Order,

dated October 30, 1936, designating Morehead City, North Carolina, as a customs port of entry in Customs Collection District No. 15 (North Carolina), with headquarters at Wilmington, North Carolina, effective as of the date of the order.

[SEAL]

FRANK DOW,
Acting Commissioner of Customs.

EXECUTIVE ORDER

By virtue of and pursuant to the authority vested in me by the act of August 1, 1914, 38 Stat. 633, 623 (U. S. C., title 19, sec. 2), I hereby designate Morehead City, North Carolina, as a customs port of entry in Customs Collection District No. 15 (North Carolina), effective this date.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,
October 30, 1936.

[No. 7492]

[F. R. Doc. 3260—Filed, November 5, 1936; 9:56 a. m.]

Bureau of Internal Revenue.

[T. D. 4703]

REGULATIONS GOVERNING THE ACCEPTANCE OF TREASURY BILLS, TREASURY CERTIFICATES OF INDEBTEDNESS AND TREASURY NOTES IN PAYMENT OF INCOME AND PROFITS TAXES

ARTICLES 1391 AND 1392, AS AMENDED, OF REGULATIONS 69 REVOKED

To Collectors of Internal Revenue and Others Concerned:

Pursuant to the provisions of sections 1118 (a) and 1101 of the Revenue Act of 1926 and section 5 of the Second Liberty Bond Act of 1917, as amended, and by virtue of all other authority of law, the following regulations are hereby prescribed:

ARTICLE 1. *Acceptance of Treasury bills, Treasury certificates of indebtedness, and Treasury notes in payment of income and profits taxes.*—Collectors of internal revenue are authorized and directed to receive, at par or dollar face amount, in payment of income and profits taxes which the taxpayer is required to pay on the date of maturity of the bills, certificates, or notes, respectively, that is, taxes due for the first time on that date and which would be overdue thereafter, Treasury bills, Treasury certificates of indebtedness, and Treasury notes, the maturity dates of which are the 15th day of any calendar month, and which according to the express terms of their issue are made acceptable in payment of income and profits taxes. Collectors are not authorized hereunder to receive in payment of taxes any Treasury bills, Treasury certificates of indebtedness, or Treasury notes which are not according to the express terms of their issue made acceptable in payment of taxes, nor any such bills, certificates, or notes which mature on a date other than the date on which the taxes, in payment of which the bills, certificates, or notes, respectively, are tendered, are required to be paid. When the taxes are due on Sunday, the bills, certificates, or notes in payment thereof may be accepted on the following day. In all other cases collectors are authorized to receive Treasury bills, Treasury certificates of indebtedness, and Treasury notes in payment of income and profits taxes only on the date of maturity of the bills, certificates, or notes, or within a reasonable time immediately prior thereto. All interest coupons attached to Treasury certificates of indebtedness and Treasury notes shall be detached by the taxpayer before presentation to the collector and collected in ordinary course when due. Receipts given by collectors to taxpayers shall show the description of the bills, certificates, or notes received in payment of taxes, including the exact dollar face amount thereof, and that the bills, certificates, or notes, respectively, are tendered by the taxpayer and received by the collector, subject to no condition, qualification, or reservation whatsoever, in payment of no more than an amount of taxes equal to such dollar face amount. Collectors shall in no case pay interest on the bills, certificates, or notes, or accept them for an amount

less or greater than their dollar face amount. If any bills, certificates of indebtedness, or notes are offered in payment of income or profits taxes subject to any condition, qualification, or reservation whatsoever, or for any greater amount than the par or dollar face amount thereof, they will not be deemed to be duly tendered and the collectors shall refuse any such offer and return the bills, certificates of indebtedness, or notes, respectively, to the taxpayer immediately.

ART. 2. *Procedure with respect to Treasury bills, Treasury certificates of indebtedness, and Treasury notes.*—Deposits of Treasury bills, Treasury certificates of indebtedness, and Treasury notes received in payment of income and profits taxes shall be made by collectors, unless otherwise specifically instructed by the Secretary of the Treasury, with the Federal reserve bank of the district in which the collector's head office is located, or, in case such head office is located in the same city with a branch Federal reserve bank, with such branch Federal reserve bank. Specific instructions may be given to collectors by the Secretary of the Treasury in certain instances for the deposit of the bills, certificates and notes with Federal reserve banks of other districts and branch Federal reserve banks. The term "Federal reserve bank" where it appears herein, unless otherwise indicated by the context, includes branch Federal reserve banks Treasury bills, Treasury certificates, and Treasury notes accepted by the collector prior to the date or dates with respect to which they are acceptable in payment of taxes shall be forwarded by the collector to the Federal reserve bank to be held for account of the collector until the tax-payment date and for deposit on such date.

Collectors of internal revenue are not authorized, unless express instructions otherwise are given by the Secretary of the Treasury, to receive in payment of income or profits taxes interim receipts issued by Federal reserve banks in lieu of definitive bills, definitive certificates, or definitive notes.

Treasury bills, Treasury certificates of indebtedness, and Treasury notes shall in all cases be indelibly stamped on the face thereof as follows, by the collector, and when so stamped shall be delivered to the Federal reserve bank in person if the collector is located in the same city and in all other cases forwarded by registered mail uninsured:

-----, 19-----
This bill/note/certificate has been accepted in payment of income and profits taxes and will not be redeemed by the United States except for credit of the undersigned.

Collector of Internal Revenue
for the ----- district of -----

When Treasury bills, Treasury certificates of indebtedness, or Treasury notes are delivered to the Federal reserve bank in person rather than by registered mail uninsured, where the collector's head office and the Federal reserve bank are located in the same city, collectors shall make, in tabular form, a schedule in duplicate of the bills, certificates of indebtedness, or notes to be presented to the Federal reserve bank, showing the serial number of each bill, certificate, or note, the date of issue and maturity, with serial designation, and dollar face amount. Bills, certificates of indebtedness, and Treasury notes accepted hereunder prior to the tax-payment date shall be scheduled separately. At the bottom of each schedule there should be written or stamped "Income and Profits Taxes, \$-----", which amount must agree with the total shown on the schedule. One copy of this schedule shall accompany bills, certificates, or notes presented to the Federal reserve bank and the other be retained by the collector. The income and profits tax deposits resulting from the deposits of such bills, certificates, or notes shall in all cases be shown on the face of the certificate of deposit (Form 15), separate and distinct from the item of miscellaneous internal revenue collections.

Where the collector's head office and the Federal reserve bank are not located in the same city, and it is necessary to transmit the bills, certificates, or notes to the Federal reserve bank by registered mail uninsured, the following requirements, with respect to the preparation of shipments, shall be observed. The bills, certificates, or notes shall in all cases be stamped on the face thereof, and the schedule of bills, certificates, or notes transmitted shall be prepared as pre-

scribed in the case of bills, certificates, or notes delivered to the Federal reserve bank in person, except that the schedule of securities shall be prepared in triplicate. The original copy of such schedule shall be forwarded to the Federal reserve bank by separate registered mail, and shall bear a certificate signed by two employees of the office of the collector, stating—

(a) That they inspected and checked the shipment before sealing;

(b) That each bill, certificate, or note listed was properly canceled by stamping on the face thereof the prescribed legend;

(c) That the shipment was sealed in their presence before it left their immediate control; and

(d) That each and every security listed was in the package when mailed.

The duplicate copy of the schedule shall be enclosed with the securities, and the triplicate retained by the collector. It is important that the collector's retained copy be carefully preserved, and in this connection it is recommended that the certificate of the two employees be entered also on the retained copy, in order that no complication may arise in the event that the original copy is lost or destroyed.

Until certificates of deposit are received from the Federal reserve banks, the amounts represented by the bills, certificates of indebtedness, or notes forwarded for deposit shall be carried by collectors as cash on hand or in banks, and not credited as collections, as the dates of certificates of deposit determine the dates of collections.

For the purpose of saving taxpayers the expense of transmitting such bills, certificates, or notes as are held in Federal reserve cities or Federal reserve branch bank cities to the office of the collector in whose district the taxes are payable, taxpayers desiring to pay income and profits taxes by such Treasury bills, Treasury certificates of indebtedness, or Treasury notes acceptable in payment of taxes, should communicate with the collector of the district in which the taxes are payable and request from him authority to deposit such bills, certificates, or notes with the Federal reserve bank in the city in which the bills, certificates, or notes are held. Collectors are authorized to permit deposits of Treasury bills, Treasury certificates of indebtedness, or Treasury notes in any Federal reserve bank, with the express understanding that the Federal reserve bank is to issue a certificate of deposit in the collector's name covering the dollar face amount of the bills, certificates, or notes, and to state on the face of the certificate of deposit that the amount represented thereby is in payment of an equal dollar amount of income or profits taxes. The Federal reserve bank should forward the original certificate of deposit to the Treasurer of the United States with its daily transcript, and transmit the duplicate to the Commissioner of Internal Revenue, Accounts and Collections Unit, Washington, D. C., and the triplicate to the collector, accompanied by a statement giving the name of the taxpayer for whom the payment is made, in order that the collector may make the necessary record. Receipts given by the Federal reserve banks to the taxpayers for the bills, certificates or notes deposited by such taxpayers should show the description of such bills, certificates, or notes received in payment of taxes, including the exact dollar face amount thereof, and that the bills, certificates, or notes, respectively, are tendered by the taxpayer and received by the Federal reserve bank, subject to no condition, qualification, or reservation whatsoever, in payment of no more than an amount of taxes equal to such dollar face amount.

ART. 3. *Prior regulations revoked.*—Articles 1391 and 1392, as amended, of Regulations 69 and the provisions of any regulation, rule, order, or instruction inconsistent with this Treasury Decision are revoked as of the date of the approval of this Treasury Decision.

[SEAL]

CHAS. T. RUSSELL,

Acting Commissioner of Internal Revenue.

Approved, November 3, 1936.

WAYNE C. TAYLOR,

Acting Secretary of the Treasury.

[F. R. Doc. 3258—Filed, November 4, 1936; 3:23 p. m.]

INTERSTATE COMMERCE COMMISSION.

ORDER

At a Session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 19th day of October A. D. 1936.

The subject of a uniform system for the issuing and recording of passes to be prescribed for Common Carriers by Motor Vehicle being under consideration, the following order was entered:

It is ordered, That the following Regulations to Govern the Forms and Issuance of Passes by Common Carriers by Motor Vehicle, be, and the same are hereby, approved; that a copy thereof duly authenticated by the Secretary of the Commission be filed in its archives, and a second copy thereof, in like manner authenticated, in the office of the Bureau of Motor Carriers; and that each of the said copies so authenticated and filed shall be deemed an original record thereof.

It is further ordered, That the said Regulations be, and are hereby, prescribed for the use of Common Carriers by Motor Vehicle, subject to the provisions of the Motor Carrier Act, 1935, in the issuing and recording of passes; that each and every such carrier and each and every receiver or operating trustee of any such carrier be required to issue all passes and keep all pass records in conformity therewith; and that a copy of the said Regulations be sent to each and every such carrier and to each and every receiver or operating trustee of any such carrier.

It is further ordered, That the said Regulations are, and by virtue of this order do become, the lawful rules according to which all passes are to be issued and all pass records are to be kept; that each and every person directly in charge of the free transportation of any such carrier or of any receiver or operating trustee of any such carrier is hereby required to see to, and under the law is responsible for, the correct application of the said regulations in the issuing and recording of passes; and that it shall be unlawful for any such carrier or for any receiver or operating trustee of any such carrier, or for any person directly in charge of the free transportation of any such carrier or of any receiver or operating trustee of any such carrier, to issue any passes or to keep any pass records except in the manner and form in the said Regulations set forth and hereby prescribed, and except as hereinafter authorized.

It is further ordered, That any such carrier or any receiver or operating trustee of any such carrier may adopt additional record forms: *Provided, however,* That a list of such additional record forms, showing their use and their purpose, be first filed in the office of the Bureau of Motor Carriers, subject to disapproval by the Commission.

It is further ordered, That the said Regulations to Govern the Forms and Issuance of Passes by Common Carriers by Motor Vehicle shall become effective on November 15, 1936.

By the Commission, division 5.

[SEAL]

GEORGE B. MCGINTY, Secretary.

REGULATIONS TO GOVERN THE FORMS AND ISSUANCE OF PASSES BY COMMON CARRIERS BY MOTOR VEHICLE SUBJECT TO THE MOTOR CARRIER ACT, 1935

These regulations apply to all Common Carriers by Motor Vehicle designated in the order whether passes are issued or are honored for transportation wholly within one State or otherwise, and whether the operated mileage or termini of any such carrier be located entirely within the limits of one State or otherwise.

NONREVENUE-PASSENGER SERVICE

1. All nonrevenue passenger service, whether transportation, sleeping, parlor, or other accommodations, except as provided in paragraphs 30 and 33 to 36, inclusive, furnished by common carriers by motor vehicle subject to these regulations, shall be covered by passes as hereinafter prescribed.

GENERAL CLASSES OF PASSES

2. Passes issued shall consist of not more than five general classes, viz:

1. Annual or term passes for passage only.
2. Annual or term passes for passage, including sleeping, parlor, and other accommodations.
3. Trip passes for passage only.
4. Trip passes for passage, including sleeping, parlor, and other accommodations.
5. Commuter passes.

(a) Annual passes are those good until the end of the calendar year in which issued without restriction as to the number of trips.

Term passes are those good for a specified period of time less than a year and without restriction as to the number of trips.

Trip passes are those good for a specified period of time and restricted to a single trip or to one round trip.

Commuter passes are those good for a specified period of time and restricted as to the number of trips. This form of pass need not be confined to suburban territory, but may be issued over any portion of a carrier's line.

(b) If the number of passes to be issued for sleeping, parlor, and other accommodations, including passage, is relatively small, carriers are permitted to indorse a pass of any class prepared for passage only so as to include such accommodations as are to be furnished. (See par. 38.)

OFFICIALS ISSUING AND REQUESTING PASSES

3. Each carrier shall designate an official in whom is reposed the authority for the issuance of passes, and the requesting of passes, over the lines of another carrier. Each pass shall bear the signature or facsimile of such designated official or the signature of an employee authorized by him to sign passes.

PERSONS WHO MAY RECEIVE FREE TRANSPORTATION

4. (a) The authority for the issuance of free transportation by common carriers by motor vehicle is contained in Section 217 (b) of the Motor Carrier Act, 1935. By the provisions of this section the provisions of Section 1, paragraph 7, and Section 22, paragraph 1 of the Interstate Commerce Act (part I) are made applicable to common carriers by motor vehicle.

(b) Excerpts from the Interstate Commerce Act: Section 217 (b) of the Motor Carrier Act, 1935:

No common carrier by motor vehicle shall charge or demand or collect or receive a greater or less or different compensation for transportation or for any service in connection therewith between the points enumerated in such tariff than the rates, fares, and charges specified in the tariffs in effect at the time; and no such carrier shall refund or remit in any manner or by any device, directly or indirectly, or through any agent or broker or otherwise, any portion of the rates, fares, or charges so specified or extend to any person any privileges or facilities for transportation in interstate or foreign commerce except such as are specified in its tariffs: *Provided,* That the provisions of sections 1 (7) and 22 (1) of part I shall apply to common carriers by motor vehicles subject to this part.

Section 1, paragraph 7 of the Interstate Commerce Act:

(7) No common carrier subject to the provisions of this part shall, after January first, nineteen hundred and seven, directly or indirectly, issue or give any interstate free ticket, free pass, or free transportation for passengers, except to its employees and their families, its officers, agents, surgeons, physicians, and attorneys at law; to ministers of religion, traveling secretaries of railroad Young Men's Christian Associations, inmates of hospitals and charitable and eleemosynary institutions, and persons exclusively engaged in charitable and eleemosynary work; to indigent, destitute, and homeless persons, and to such persons when transported by charitable societies or hospitals, and the necessary agents employed in such transportation; to inmates of the National Homes or State Homes for Disabled Volunteer Soldiers, and of Soldiers' and Sailors' Homes, including those about to enter and those returning home after discharge; to necessary caretakers of live stock, poultry, milk, and fruit; to employees on sleeping cars, express cars, and to linemen of telegraph and telephone companies; to Railway Mail Service employees, postoffice inspectors, customs inspectors, and immigration inspectors; to newboys on trains, baggage agents, witnesses attend-

ing any legal investigation in which the common carrier is interested, persons injured in wrecks and physicians and nurses attending such persons: *Provided*, That this provision shall not be construed to prohibit the interchange of passes for the officers, agents, and employees of common carriers, and their families; nor to prohibit any common carrier from carrying passengers free with the object of providing relief in cases of general epidemic, pestilence, or other calamitous visitation: *And provided further*, That this provision shall not be construed to prohibit the privilege of passes or franks, or the exchange thereof with each other, for the officers, agents, employees, and their families of such telegraph, telephone, and cable lines, and the officers, agents, employees, and their families of other common carriers subject to the provisions of this part: *Provided further*, That the term "employees" as used in this paragraph shall include furloughed, pensioned, and superannuated employees, persons who have become disabled or infirm in the service of any such common carrier and the remains of a person killed in the employment of a carrier and ex-employees traveling for the purpose of entering the service of any such common carrier; and the term "families" as used in this paragraph shall include the families of those persons named in this proviso, also the families of persons killed, and the widows during widowhood and minor children during minority of persons who died while in the service of any such common carrier. Any common carrier violating this provision shall be deemed guilty of a misdemeanor, and for each offense, on conviction, shall pay to the United States a penalty of not less than one hundred dollars nor more than two thousand dollars, and any person, other than the persons excepted in this provision, who uses any such interstate free ticket, free pass, or free transportation shall be subject to a like penalty. Jurisdiction of offenses under this provision shall be the same as that provided for offenses in an Act entitled "An Act to further regulate commerce with foreign nations and among the States", approved February nineteenth, nineteen hundred and three, and any amendment thereof.

Section 22, paragraph 1 of the Interstate Commerce Act:

That nothing in this part shall prevent the carriage, storage, or handling of property free or at reduced rates, for the United States, State, or municipal governments, or for charitable purposes, or to or from fairs and expositions for exhibition thereat, or the free carriage of destitute and homeless persons transported by charitable societies, and the necessary agents employed in such transportation, or the issuance of mileage, excursion, or commutation passenger tickets; nothing in this part shall be construed to prohibit any common carrier from giving reduced rates to ministers of religion, or to municipal governments for the transportation of indigent persons, or to inmates of the National Homes or State Homes for Disabled Volunteer Soldiers, and of Soldiers' and Sailors' Orphan Homes, including those about to enter and those returning home after discharge, under arrangements with the boards of managers of said homes; nothing in this part shall be construed to prevent railroads from giving free carriage to their own officers and employees, or to prevent the principal officers of any railroad company or companies from exchanging passes or tickets with other railroad companies for their officers and employees; and nothing in this part contained shall in any way abridge or alter the remedies now existing at common law or by statute, but the provisions of this part are in addition to such remedies; nothing in this part shall be construed to prohibit any common carrier from carrying any totally blind person accompanied by a guide at the usual and ordinary fare charged to one person, under such reasonable regulations as may have been established by the carrier: *Provided*, That no pending litigation shall in any way be affected by this part: *Provided further*, That nothing in this part shall prevent the issuance of joint interchangeable five-thousand-mile tickets, with special privileges as to the amount of free baggage that may be carried under mileage tickets of one thousand or more miles. But before any common carrier, subject to the provisions of this part, shall issue any such joint interchangeable mileage tickets with special privileges, as aforesaid, it shall file with the Interstate Commerce Commission copies of the joint tariffs of rates, fares, or charges on which such joint interchangeable mileage tickets are to be based, together with specifications of the amount of free baggage permitted to be carried under such tickets, in the same manner as common carriers are required to do with regard to other joint rates by section six of this part; and all the provisions of said section six relating to joint rates, fares, and charges shall be observed by said common carriers and enforced by the Interstate Commerce Commission as fully with regard to such joint interchangeable mileage tickets as with regard to other joint rates, fares, and charges referred to in said section six. It shall be unlawful for any common carrier that has issued or authorized to be issued any such joint interchangeable mileage tickets to demand, collect, or receive from any person or persons a greater or less compensation for transportation of persons or baggage under such joint interchangeable mileage tickets than that required by the rate, fare, or charge specified in the copies of the joint tariff of rates, fares, or charges filed with the Commission in force at the time. The provisions of section ten of this part shall apply to any violation of the requirements of this proviso. Nothing in this part shall prevent any carrier or carriers subject to this part from giving reduced rates for the transportation of property to or from any section of the country with the object of providing relief in case of earthquake, flood, fire, famine, drought, epidemic, pestilence, or other calamitous visitation or disaster, if such reduced rates have first been authorized by order of the Commission (with or without a hearing); but in any such order the Commission shall define such section and shall specify the period during which such reduced rates are to remain in effect.

Nothing in this part shall prevent any carrier or carriers subject to this part from giving reduced rates for the transportation of commodities to be specified by the Commission as hereinafter provided, to or from any section of the country, with the object of improving Nation-wide housing standards and providing employment and stimulating industry, if such reduced rates have first been authorized by order of the Commission (with or without a hearing); but in such order the Commission shall specify the commodities as to which this provision shall be declared effective and shall specify the period during which such reduced rates are to remain in effect.

SIGNATURE

5. Each pass bearing facsimile signature must be countersigned with ink, except as provided in paragraph 9, by an official or responsible employe, who must be designated on the pass.

NUMBERING PASSES

6. All passes shall be consecutively numbered before or immediately upon receipt from the printer or stationer. No two passes of the same general class shall bear the same number without an indicative letter prefixed or affixed. Unless all passes are numbered in one series, each general class adopted shall constitute a series of numbers and each subdivision of any general class adopted shall constitute a series of numbers with an indicative letter prefixed or affixed.

RECORD OF PASS STOCK RECEIVED AND DISTRIBUTED

7. A record of pass stock received and distributed must be kept by the official ordering the pass stock. (See Form 4.) Each of the different forms and series of passes received must be entered on separate sheets or pages and must be recorded and distributed in numerical order. On the left side of the record must be entered the entire pass stock received. On the right side must be entered all pass stock distributed among other officials or countersigning employees, all stock assigned to the official ordering the stock and issuable by him, and all pass stock destroyed. (For the periods of retention see regulations to govern the preservation of records.)

8. Unissued pass stock must be filed in such manner as to be accessible and convenient for examination.

PREPARATION OF PASSES

9. All passes must be filled out with a durable ink, either with pen or typewriter, or by printing, except that in case of emergency a trip pass may be filled out and countersigned by the use of indelible pencil.

10. Each pass issued must bear upon its face the name of the person to be accorded free transportation, who must be of a class named in sections 1 and 22 of the Interstate Commerce Act as eligible to receive free transportation. (See paragraph 4 of these regulations.)

11. A pass may include, in addition to the person named thereon, a specified number of unnamed persons of any class eligible to receive free transportation, the number and the class to which such persons belong being specified upon the pass; e. g.,

Pass John Smith and six employees.

Account Garage foreman and mechanics A. B. Bus Line.

A pass for "John Smith and three children" is not a sufficient compliance with the provisions of this paragraph; it must be made so that the representation that they are the children of the person named shall affirmatively appear: e. g.,

Pass John Smith, one son, and two daughters.

Account Driver, A. B. Bus Line.

12. The name of the person presenting the pass must appear upon it. Passes issued for the transportation of more than one person so as to be used by such persons separately must name the person actually using the pass. For instance, a pass to be used by John Smith and his daughter, separately, or a pass to be used by William Brown and one driver separately, should read:

Pass John Smith and Miss Mary Smith.

Pass John Smith and daughter Mary.

Pass William Brown and Edgar Moore.

A pass issued to "John Smith and wife" or to "Mr. and Mrs. John Smith" is construed as if having the name of the wife

appearing upon it and may be used by her in the absence of her husband.

13. Each pass must show, in accordance with the following, on what account it is issued:

(a) A pass for an official or employee of the carrier issuing the pass must show the title or occupation of the person to whom it is issued, e. g.,

Pass John Smith.
Account Driver.

(b) A pass for a member of the family of an official or employee of the carrier issuing the pass must show the name of such official or employee, except as provided in paragraph 13 (c), his title or occupation, and the relationship of the person to whom it is issued, e. g.,

Pass Miss Mary Smith.
Account Daughter of John Smith, driver.

(c) A pass for the wife of an official or employee of the carrier issuing the pass, which shows the husband's Christian name, may omit, after "Account", the name of such officer or employee, e. g.,

Pass Mrs. John Smith.
Account Wife of driver.

(d) A pass for an official or employee of a carrier other than the carrier issuing the pass must show the title or occupation of the person to whom the pass is issued and the name of the carrier by which employed, e. g.,

Pass John Smith.
Account driver A. & B. Bus Line.

(e) A pass for a member of the family of an official or employee of a carrier other than the carrier issuing the pass must show the name of such official or employee, except as provided in paragraph 13 (f), his title or occupation, the relationship of the person to whom the pass is issued, and the name of the carrier by which employed, e. g.,

Pass Miss Mary Smith.
Account Daughter of John Smith, driver, A. & B. Bus Line.

(f) A pass for the wife of an official or employee of a carrier other than the carrier issuing the pass, which shows the husband's Christian name, may omit, after "Account", the name of such official or employee, e. g.,

Pass Mrs. George Brown.
Account Wife of clerk, A. & B. Bus Line.

(g) Every pass issued to a person other than an official or employee of a common carrier or members of their families must state in the space provided for "Account" the reason for the issuance of the pass, e. g.,

Pass Mrs. Sarah Jones.
Account Charity.
Pass Mr. Henry Brown.
Account Traveling secretary, Y. M. C. A.

14. Every pass issued upon which sleeping, parlor, or other accommodations are to be furnished free must indicate the character of the accommodations to be furnished thereon.

15. The territory in which or the points between which a pass will be honored must be shown upon it, e. g.,

From _____ to _____
Between _____ and _____
Over entire system.

16. The period of time for which a pass will be accepted for transportation must be indicated upon it, e. g.,

Until _____
Good for one-trip only until _____
Expires _____
If used within _____ days.

REQUESTS FOR PASSES

17. Passes shall be issued only upon written requests, except as provided in paragraphs 19 and 20, and in accordance with the forms hereinafter prescribed as applicable.

18. All the information required to be shown on passes issued, as prescribed in paragraphs 10 to 16, inclusive, must

be indicated on requests for passes. In addition to such information requests must furnish information in accordance with the following:

(a) The address of the person for whom the pass is requested.

(b) If request be made for a pass for or on account of an official or employee of a carrier other than the carrier by which such pass may be issued, it must contain a statement that the person for whom the pass is requested is not prohibited by law from receiving free transportation. (Forms 9 and 10.)

(c) If request be made for a pass for a person other than an official or employee, or the member of the family of an official or employee, of a carrier the request must give evidence, clearly set forth, or be accompanied by papers, showing the legality of the issuance of the pass requested. No form is prescribed for requests of this character.

19. Written requests for passes may be dispensed with in the following cases, provided the records of passes issued show the full information required, and in addition state upon whose authority the passes were issued and the reasons for dispensing with written requests:

(a) For passes issued to employees engaged in the office in which the passes are actually prepared.

(b) In cases of emergency requiring immediate use of pass and when there is insufficient time to procure written requests before issuance.

20. Carriers may, at their option, permit their principal officials to furnish passes to officials and employees, and to the members of families of officials and employees, of other carriers subject to these regulations, who are not prohibited by law from using free transportation, without requiring written requests, provided:

(a) That acknowledgments, in accordance with Form 11 hereinafter prescribed, be secured from the persons to whom or on whose account the passes are issued, and provided further,

(b) That notices, in accordance with Form 12 hereinafter prescribed, be given the carriers on whose account the passes are issued through the officials of such carriers ordinarily authorized to issue requests on other carriers for passes (see par. 49); and provided further,

(c) That the records of the issuing carriers show upon whose authority the passes are issued.

21. Notices to other carriers advising of the issuance of passes without written requests must be made in duplicate, or legible impression copies must be taken of them, and the duplicates or impression copies must be retained by the issuing carrier.

22. Requests for passes, also acknowledgments received and copies of notices retained for passes issued without requests, must be filed in the office in which are filed records of annual or term passes or the stubs or carbon copies of trip passes, and in such manner as to be accessible and convenient for examination. The numbers of the passes issued must be noted upon the faces of the requests.

23. Carriers should be prepared to furnish the Commission when so required, a full report of all passes issued.

SIGNATURES ON REQUESTS FOR PASSES

24. Requests for passes for or on account of a carrier's own officials or employees must be made over the signature of the person to whom or on whose account the passes may be issued or by a superior or ranking official or employee.

25. Requests for passes for or on account of officials or employees of a carrier subject to these regulations, other than the carrier issuing the pass, must be over either the autograph or facsimile signature of the official of the carrier in whom is reposed the authority for the issuance of passes. In case the facsimile signature is used, the request must be countersigned with ink by an official or responsible employee who must be designated thereon.

26. Requests for passes for any persons not covered by paragraphs 24 or 25 must be made over the signatures of the persons making such requests.

SIGNATURES OF USERS OF PASSES

27. All passes must bear the signature of the users, preferably in ink. On the back of each pass must appear a statement that the holder is not prohibited by law from receiving free transportation, and that the pass will be lawfully used. This statement may be shown among other conditions, if any, and must be subscribed to by the holder.

28. A pass issued for a number of persons, but naming only one person, such as—

John Smith, garage foreman, and six employees of A. & B. Bus Line.

George Jones and two daughters,

need be signed only by the person whose name appears on the pass.

29. A pass issued for a number of persons, the names of all appearing on the pass, such as—

William Brown and Edgar Moore, mechanics.

must be signed by the users, whether the pass is used by one or by more than one of the persons named thereon; except that such pass when issued to the members of a family need be signed only by one of the persons using it.

TICKETS IN LIEU OF PASSES

30. Detectives and others engaged in similar work and, in cases of emergency, employees and others entitled to free transportation, may be furnished with regular passenger tickets or may be permitted to purchase tickets and have the amounts paid therefor afterwards refunded. In such cases the ticket agent's report of the tickets "without value", or the vouchers refunding the amounts paid for the tickets, must be supported by the authority of the official authorized to issue passes. Applications for refunds of fares paid or the authorities for such refunds must show the same information as is required to be shown on the requests for passes referred to in paragraph 18. Carriers must be prepared to furnish adequate evidence that the persons so designated were actually engaged in the service shown on the authorities.

31. The use of a special form of free ticket according to the holder certain privileges or accommodations, such as berths, or the use of limited buses, is prohibited. If such form is desired it must be issued in regular pass form.

RECORD OF FREE TICKETS ISSUED

32. A complete record of all tickets issued in lieu of passes, including tickets for which the fares have been refunded as well as those issued free, must be maintained by carriers and filed in the office of the official authorizing such issuance or refund. This record must show the date, form and number of ticket, stations from and to, name and address or other designation of person to whom issued, account of issuance (in accordance with par. 13), amount of fare, and name of official authorizing the issuance of free ticket or refund of fare paid. (See Form 7.)

FREE TRANSPORTATION WITHOUT PASSES

33. At the option of carriers, the following designated persons may be given passage, sleeping, parlor, or other accommodations without passes, when in the actual performance of their duties:

Drivers.

Student drivers.

Drivers' helpers.

Hostesses (conductorettes) on buses.

Porters on buses.

Lecturers and guides on buses.

Stewards on buses.

Other employes engaged in the transportation of maintenance work of the carrier, requiring their transfer from

one point to another in the performance of such duties; provided, that in lieu of passes such employes be supplied with checks, badges, uniforms, or other evidence which will establish their identity as bona fide employes entitled to receive passes.

34. In cases of wrecks, epidemics, or other calamitous visitations, persons not prohibited by law from receiving free transportation may be accorded such transportation without passes. In such cases a general statement of the facts must be made by drivers and filed with reports of passes honored.

35. Carriers are not required to issue passes for the free transportation wholly within any one municipality of their employees and others not prohibited by law from receiving free transportation; provided, that persons so transported are distinguishable by badges, cap emblems, or uniforms indicative of their service.

UNITED STATES POST OFFICE DEPARTMENT COMMISSIONS

36. Commissions issued by the United States Post Office Department may be accepted for the passage of officers and employes of that department when traveling on official business. (See par. 53.)

EXTENSION OF TIME LIMIT OF PASSES

37. The time limit of a pass may be extended by an indorsement thereon, provided that appropriate record is maintained showing the final limit of passes so indorsed.

RECORDS OF PASSES ISSUED

38. A complete record of each pass issued must be kept by carriers subject to these regulations. This record must supply information as indicated by the headings on the forms hereinafter prescribed appropriate for the class of pass to be recorded, and such information must correspond with that appearing on the pass and request. In space provided for "Accommodations, etc.", on the record of annual and term passes issued must be shown all accommodations and services included on pass.

39. Annual and term passes issued must be recorded on sheets or cards prepared similar to Forms 5 or 6.

40. If Form 5 is adopted, the passes must be entered either in numerical order or in alphabetical order according to the surnames of the persons to whom the passes are issued. When passes are entered in numerical order, an alphabetical index by names shall be maintained; when entered in alphabetical order, a numerical index showing name shall be maintained.

41. If Form 6 is adopted, the cards must be filed either in numerical order or in alphabetical order according to the surnames of the persons to whom the passes are issued. When cards are filed in numerical order, an alphabetical index by names shall be maintained; when filed in alphabetical order, a numerical index showing name shall be maintained. In lieu of the index required in this paragraph, if desired, records on this form may be made in duplicate with one set of cards filed in numerical order and the other set filed in alphabetical order according to the surnames of the persons to whom the passes are issued.

42. The numerical records or indexes referred to in paragraphs 40 and 41 must be kept separately by forms and series of passes; the alphabetical records or indexes may be kept either by forms and series of passes or in one complete alphabetical list for the entire issue.

43. When the numbers of passes issued are shown in strict numerical order on requests received for annual and term passes, such requests may constitute the numerical index required in paragraphs 40 and 41, provided that any numerical index so maintained shall be complete and shall contain not more than one series of numbers nor more than one form of pass.

44. The record of trip passes issued shall be kept on the stubs or carbon copies of trip passes. Full information must be shown on the stub or carbon copy of each trip pass, as

provided on Form 2; and this information must conform to the data on the pass and coupon.

45. The record of commuter passes shall be kept on Form 5 or Form 6, if issued in card or book form, or on the stubs, if issued in coupon form with stub. These records must be maintained in the same manner as is provided for annual, term, or trip passes.

46. If a pass is canceled, returned, or lost, the fact must be stated on the record, with the date of cancellation, return, or loss entered.

47. The records of passes issued must be filed in such manner as to be accessible and convenient for examination.

RECORDS OF REQUESTS ON OTHER CARRIERS FOR PASSES

48. Requests on other carriers for passes must be made in duplicate, or legible impression copies must be taken of them, and the duplicates or impression copies must be retained by the requesting carrier and filed in such manner as to be accessible and convenient for examination. When a pass is received, its number must be noted on the duplicate or impression copy of the request.

49. Notices received from other carriers advising of the issuance of passes under the provisions of paragraph 20 shall be filed in the office in which are filed copies of requests on other carriers for passes.

FILING PASSES

50. All passes collected and passes spoiled or returned must be filed in such manner as to be readily accessible and convenient for examination.

REPORTS OF PASSES HONORED

51. Reports, showing the use of passes, shall be made in accordance with the provisions of paragraphs 52 to 55, inclusive.

52. Travel performed on transportation certificates or similar authorities issued in accordance with the laws of a State which require designated officers to be accorded free transportation while on journeys entirely within the limits of such State, must be reported in the same manner as travel performed on annual or term passes.

53. Travel performed on commissions issued by the United States Post Office Department must be shown on driver's report of passes honored.

54. Drivers or ticket collectors must make reports of annual and term passes honored. If desired, such reports may be combined with drivers' reports of revenue passengers, provided the required information is shown.

55. Trip passes collected shall in all cases be indorsed or punched so as to indicate the date and schedule number on which used, and in addition thereto:

(a) If a trip pass is honored for passage between stations other than those named on its face and is collected the driver or ticket collector shall indicate upon it by punch or indorsement the stations between which it actually is used.

(b) If a trip pass is honored for passage between stations other than those named on its face and is not collected, the driver or ticket collector shall report the use of the pass on driver's report in the same manner as provided for annual and term passes.

CARRIERS' PASS RULES

56. Carriers must file with the Commission on or before January 1, 1937, copies of all their general rules and instructions then in effect governing the issuance and use of passes, and forward promptly copies of any subsequent rules and instructions. It is not intended, however, that carriers shall cause to be printed such rules or instructions for the specific purpose of filing them with the Commission.

PASS AND RECORD FORMS

57. Passes must be issued and records kept substantially in accordance with the forms hereinafter prescribed. Except as

provided for elsewhere in these regulations the forms indicate the nature of the information required and the order in which it shall appear. If, however, there is insufficient space on the face of any pass to show all the information required, reference may be made to the back of pass, where it shall be shown.

58. Carriers may include any additional matter in the pass forms or record forms, but such additional matter must not be permitted to impair the information required in the prescribed forms or to affect the order in which it is given.

FORM 1—ANNUAL OR TERM PASS—FOR PASSAGE ONLY

1936	Name of carrier	No. _____
Pass ¹ _____		
Account ² _____		
Between ³ _____		
Until ⁴ _____, 19____ (Unless otherwise ordered and subject to conditions on back.)		
Valid when countersigned by _____		
(Name and official title)		

Countersigned by _____

¹ See paragraphs 10, 11, and 12.

² See paragraph 13.

³ See paragraph 15.

⁴ See paragraph 16.

NOTES RELATING TO FORM 1

For annual or term passes to be issued for travel over the entire line or certain portions thereof, the word "between" may be omitted, and in the space provided may be printed "Over entire system", "Over all lines", "Over Eastern Division", etc.

If annual or term passes are to be issued over the autograph signature of an officer, the provision for countersignature may be omitted from such passes.

FORM 2—TRIP PASS

Name of carrier No. _____	Name of carrier No. _____	Name of carrier No. _____
TRIP PASS STUB	TRIP PASS	TRIP PASS
Pass ¹ _____, 19____	Pass ¹ _____	(Subject to conditions on back.)
Account ² _____	Account ² _____	_____ , 19____
From ³ _____	From ³ _____	Pass ¹ _____
To ³ _____	To ³ _____	Account ² _____
And return.	Valid if detached _____	From ³ _____ to ³ _____
Address _____	Issued by _____	Good for one trip only until ⁴ _____, 19____
Expires ⁴ _____		Valid when countersigned by _____
Requested by _____		(Facsimile signature.)
Issued by _____		(Official title.)
		Countersigned by _____

¹ See paragraphs 10, 11, 12.

² See paragraph 13.

³ See paragraph 15.

⁴ See paragraph 16.

NOTES RELATING TO FORM 2

Trip passes may be provided with a second sheet for carbon copies in lieu of the pass stub. In such cases the carbon copies must be numbered to correspond with the passes, and must show the full information required on the stub.

The trip pass may so be prepared as to permit, by using carbon paper, the filling in of all information required on the stub, the going portion, and the return portion of the pass, by one writing. One coupon of such passes may read "To _____ from _____", instead of "From _____ to _____", as shown on form 2.

Trip passes may, if preferred, be limited by a system of dates along the margin, the limits to be indicated by punching or by tearing off dates later than that on which the pass expires.

This form may be extended so as to cover two or more passes.

FORM 10—REQUEST ON ANOTHER CARRIER FOR ANNUAL OR TERM PASSES (SEE PARAGRAPHS 17, 18, AND 48)

Company,
Office of _____, 19____

DEAR SIR: Will you kindly favor me, on account of this company, with _____ pass _____ for _____ over _____ (Annual or term) (Period or year) your line for the following person _____ who _____ not prohibited by law from receiving free transportation: _____

Number of pass issued	Name	Title or occupation	Address	Territory	Remarks, etc.

This request shall be valid only when countersigned by myself or by _____

(Facsimile signature of official)

Countersigned by: _____ (Title)

* On requests drawn on other carriers for accommodations, but not including passage, reference must be made in this space to the character of accommodations requested; as, "to occupy space as indicated below." On requests for passes to include both passage and accommodations in this space reference must be made to the character of the accommodations requested and a statement that passage also is desired; as, "to occupy space as indicated below in addition to passage."

* See paragraphs 22 and 48.

* In column headed "Remarks, etc.," shall be shown the character of any accommodations requested other than passage.

* See paragraph 25.

NOTES RELATING TO FORM 10

The provision for countersignature on Form 10 is not required when such forms are to bear autograph signature.

FORM 11—ACKNOWLEDGMENT OF PASSES ISSUED WITHOUT WRITTEN REQUEST (SEE PARAGRAPH 20)

Date _____

Receipt is hereby acknowledged of _____

(Name of carrier)

Pass No. _____, in favor of the following (Annual or term)

person _____, who _____ not prohibited by law from receiving free transportation:

Name _____

Address _____

Account of _____

Territory _____

Limited to _____

NOTES RELATING TO FORM 11

This form may be extended so as to cover two or more passes.

Forms 11 and 12 may be prepared so that the two forms and the necessary carbons may be made at one writing.

FORM 12—NOTIFICATION OF PASSES ISSUED WITHOUT WRITTEN REQUEST (SEE PARAGRAPHS 20 AND 21)

Date _____

Notice is hereby given of the issuance of _____ (Name of carrier)

Pass No. _____, in favor of the following (Annual or term)

person _____, who _____ furnished such transportation without written request from your company:

Name _____

Address _____

Account of _____
Territory _____
Limited to _____

(Name of official issuing pass)

NOTES RELATING TO FORM 12

This form may be extended so as to cover two or more passes.

Forms 11 and 12 may be prepared so that the two forms and the necessary carbons may be made at one writing.

[F. R. Doc. 3262—Filed, November 5, 1936; 11:48 a. m.]

NATIONAL LABOR RELATIONS BOARD.

United States of America—Before the National Labor Relations Board

[Case No. C-4]

IN THE MATTER OF DELAWARE-NEW JERSEY FERRY COMPANY, A CORPORATION, AND MARINE ENGINEERS BENEFICIAL ASSOCIATION, No. 13

NOTICE OF HEARING

A decision having been issued in the above matter by the Board, and a petition for enforcement having been duly filed in the United States Circuit Court of Appeals for the Third Circuit, and thereafter the respondent having filed a petition for leave to adduce additional evidence in support of the allegations made by it in its said petition, and the Court having, on November 2, 1936, granted the Delaware-New Jersey Ferry Company leave to adduce such additional evidence, and having granted the National Labor Relations Board leave to adduce any additional evidence in support of the allegations in its Complaint in this matter or in reply to the additional allegations made by the Delaware-New Jersey Ferry Company in its petition,

Please take notice, that on the 11th day of November 1936 at 10 o'clock in the forenoon, United States Customs Court, Room 300, New U. S. Customs House, Second and Chestnut Streets, Philadelphia, Pa., a hearing will be conducted pursuant to the above order of the Court before the National Labor Relations Board by a Trial Examiner to be designated in accordance with its Rules and Regulations, Series I, as amended, Article IV, Section 2, and Article II, Section 23, and that said hearing will be limited to the taking of further testimony on the allegations set forth in the petition of the Delaware-New Jersey Ferry Company referred to in the order of the United States Circuit Court of Appeals for the Third Circuit, dated November 2, 1936, and to any additional evidence which the Board may desire to introduce in support of the allegations of its complaint herein, or in reply to the additional allegations made herein by the Delaware-New Jersey Ferry Company.

You may appear and be heard if you so desire.

By direction of the Board.

BENEDICT WOLF, Secretary.

[F. R. Doc. 3261—Filed, November 5, 1936; 11:25 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 2nd day of November A. D. 1936.

[File No. 2-2335]

IN THE MATTER OF REGISTRATION STATEMENT OF SILVER DOLLAR MINING COMPANY

ORDER CHANGING DATE FOR HEARING

The Commission having heretofore, on October 9, 1936, ordered that a hearing under Section 8 (d) of the Securities

Act of 1933, as amended, be held in this matter on October 23, 1936, at 10 o'clock a. m., in Room 1103, Securities and Exchange Commission Building, 1778 Pennsylvania Avenue NW., Washington, D. C., and having designated John H. Small, an officer of the Commission, to take testimony therein; and

The said hearing having been adjourned until November 5, 1936, at the same hour and place; and

The registrant having requested a postponement of such adjourned hearing.

It is ordered that the adjourned hearing heretofore called for November 5, 1936, be held at the same hour and place on November 27, 1936.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3265—Filed, November 5, 1936; 12:38 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 4th day of November A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE GULF-EHRICH FARM, FILED ON OCTOBER 5, 1936, BY ANDREW J. BARRETT, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on November 2, 1936, be effective as of November 2, 1936; and it is further ordered, that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3263—Filed, November 5, 1936; 12:38 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 4th day of November A. D. 1936.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST IN THE PHILLIPS-WALNUT GROVE FARM, FILED ON OCTOBER 10, 1936, BY ALEX MACDONALD, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet filed with the Commission, which is the subject of this proceeding, has been amended, so far as necessary, in accordance with the Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 341 (d) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on November 3, 1936, be effective as of November 3, 1936; and

It is further ordered, that the Suspension Order, Order for Hearing and Order Designating a Trial Examiner, heretofore entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

before entered in this proceeding, be and the same hereby are revoked and the said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3264—Filed, November 5, 1936; 12:38 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 3rd day of November A. D. 1936.

[File No. 20-43444-1]

IN THE MATTER OF AN OFFERING SHEET OF ROYALTY INTERESTS IN THE ROSENTHAL AND BEARDMORE DERBY KARST FARM, FILED ON JULY 13, 1936, BY PARK T. GRIMES, RESPONDENT

PERMANENT SUSPENSION ORDER

The Securities and Exchange Commission initiated this proceeding pursuant to the provisions of Rule 340 of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, to determine whether or not an order should be entered suspending the effectiveness of the filing of an offering sheet of royalty interests in the "Rosenthal and Beardmore Derby Karst Farm", located in Russell County, Kansas, which offering sheet was filed with the Commission on July 13, 1936, by Park T. Grimes, of Tulsa, Oklahoma, the respondent herein.

This matter having come on regularly for hearing before the Commission at Washington, D. C., on August 7, 1936, and evidence both oral and documentary having been introduced, and the hearing having been closed, and the Commission having found that said offering sheet is incomplete and inaccurate in several material respects, and that said offering sheet omits to state material facts required to be stated therein (for the omission of which no sufficient reason is given in said offering sheet) and which are necessary to make the statements therein not misleading, all as more fully set forth in the Findings and Opinion of the Commission filed in this proceeding, and it appearing appropriate in the public interest so to do;

It is ordered, pursuant to Rule 340 (b) of the Commission's General Rules and Regulations promulgated under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and the same hereby is, permanently suspended.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 3266—Filed, November 5, 1936; 12:38 p. m.]

VETERANS' ADMINISTRATION.

REVISION OF REGULATIONS

PHYSICAL EXAMINATIONS AND INSPECTIONS

Examinations for Insurance Purposes.

R-3090. Physical examinations required for insurance purposes in administering the provisions of Title III of the World War Veterans' Act, 1924, as amended, may be made free of charge to the applicant or claimant by a full-time physician at a regional office or facility of the Veterans' Administration. Physical examinations will be made without expense to an applicant or claimant by medical examiners of the Veterans' Administration, when deemed necessary by the director of insurance, and necessary transportation will be furnished as provided by regulation, except on applications for insurance, under Sections 310 and 311 or either, of said

Act. Physical examinations required of applicants for insurance, under Sections 310 and 311 or either, of the World War Veterans' Act, 1924, as amended, or for reinstatement of insurance, may be made at applicant's own expense by a physician designated by the Veterans' Administration if preferred by the applicant, because of the distance to be traveled or other conditions that make it impracticable for him to appear at a regional office or facility of the Veterans' Administration. (November 4, 1936.) (World War Veterans' Act, 1924, as amended.)

Examinations and Inspections for Insurance Purposes Where Applicant or Claimant by Reason of His Physical or Mental Condition Is Unable to Appear at a Veterans' Administration Office.

R-3091. If the applicant or claimant, by reason of his physical or mental condition, is unable to report for an examination for insurance purposes which has been requested by the director of insurance, the chief medical officer of the regional office, or facility having jurisdiction over the territory in which the individual to be examined resides will authorize the examination and inspection in accordance with governing instructions, and may have the necessary service rendered by a full-time physician detailed from the station, or may authorize the service for rendition by a designated physician in the home community of the applicant or claimant. (November 4, 1936.) (World War Veterans' Act, 1924, as amended.)

Expenses Incident to Examinations for Insurance Purposes.

R-3092. If an examination is ordered by the director of insurance and is for use in connection with the reinstatement of insurance or the determination of total and permanent disability for insurance purposes, and the date of beginning or termination of such disability, the expenses of such examination and the travel incident thereto, will be borne by the United States and will be paid from the appropriation "Salaries and Expenses, Veterans' Administration." Transportation, meal, and lodging requests in connection with reporting to and returning from the place of examination will be furnished the applicant or claimant provided prior authority has been given for the travel. The expenses of travel of an applicant or claimant who is ordered by the Veterans' Administration to report for such an examination at the expense of the Government will be reimbursable only within the maximum amount it would have cost the Government to send a medical officer or employee of the Veterans' Administration to accomplish the same purpose. Travel incident to such an examination by salaried employees of the Veterans' Administration will be in accordance with the Standardized Government Travel Regulations. If such examination is made by a medical examiner on a fee basis, the fee will be based on the schedule of fees for medical services, Veterans' Administration, in force at the time the examination is made (November 4, 1936). (World War Veterans' Act, 1924, as amended.)

Duties of the Insurance Claims Council.

R-3201. (E) The insurance claims council is authorized to determine the acceptability of applicants insofar as their mental and physical conditions are concerned, for insurance under sections 310 and 311 or either, of the World War Veterans' act 1924, as amended, and of all applicants for reinstatement of lapsed insurance, and under all circumstances to make such determinations as may be necessary for insurance purposes. Also to select and designate for the purpose of examining such applicants, qualified physicians in those localities in the United States in which it is deemed necessary because of the distance from or inaccessibility to a medical officer of the Veterans Administration. (November 4, 1936.)

[SEAL]

FRANK T. HINES,
Administrator of Veterans' Affairs.

[F. R. Doc. 3259—Filed, November 4, 1936; 3:28 p. m.]

Saturday, November 7, 1936

No. 170

TREASURY DEPARTMENT.

Bureau of Internal Revenue.

[T. D. 4704]

IDENTIFICATION OF TAXPAYERS UNDER TITLE VIII OF THE SOCIAL SECURITY ACT.—ASSIGNMENT OF IDENTIFICATION NUMBERS TO EMPLOYERS AND ACCOUNT NUMBERS TO EMPLOYEES

To Collectors of Internal Revenue and Others Concerned:

PARAGRAPH A. Section 801 of the Social Security Act provides, in part:

In addition to other taxes, there shall be levied, collected, and paid upon the income of every individual a tax equal to the following percentages of the wages (as defined in section 811) received by him after December 31, 1936, with respect to employment (as defined in section 811) after such date:

(1) With respect to employment during the calendar years 1937, 1938, and 1939, the rate shall be 1 per centum.

PAR. B. Section 802 (a) of the Social Security Act provides:

The tax imposed by section 801 shall be collected by the employer of the taxpayer by deducting the amount of the tax from the wages as and when paid. Every employer required so to deduct the tax is hereby made liable for the payment of such tax, and is hereby indemnified against the claims and demands of any person for the amount of any such payment made by such employer.

PAR. C. Section 804 of the Social Security Act provides, in part:

In addition to other taxes every employer shall pay an excise tax, with respect to having individuals in his employ, equal to the following percentages of the wages (as defined in section 811) paid by him after December 31, 1936, with respect to employment (as defined in section 811) after such date:

(1) With respect to employment during the calendar years 1937, 1938, and 1939, the rate shall be 1 per centum.

PAR. D. Section 811 of the Social Security Act provides:

When used in this title—

(a) The term "wages" means all remuneration for employment, including the cash value of all remuneration paid in any medium other than cash; except that such term shall not include that part of the remuneration which, after remuneration equal to \$3,000 has been paid to an individual by an employer with respect to employment during any calendar year, is paid to such individual by such employer with respect to employment during such calendar year.

(b) The term "employment" means any service, of whatever nature, performed within the United States by an employee for his employer, except—

(1) Agricultural labor;

(2) Domestic service in a private home;

(3) Casual labor not in the course of the employer's trade or business;

(4) Service performed by an individual who has attained the age of sixty-five;

(5) Service performed as an officer or member of the crew of a vessel documented under the laws of the United States or of any foreign country;

(6) Service performed in the employ of the United States Government or of an instrumentality of the United States;

(7) Service performed in the employ of a State, a political subdivision thereof, or an instrumentality of one or more States or political subdivisions;

(8) Service performed in the employ of a corporation, community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual.

Section 11 of the Carriers Taxing Act, approved August 29, 1935 (49 Stat. 974), provides:

The term "employment", as defined in subsection (b) of section 811 of Title VIII of the Social Security Act, shall not include service performed in the employ of a carrier as defined in subdivision (a) of section 1 of this Act.

